

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☒ FLOOR AMENDMENT

No. 1

☐ COMMITTEE AMENDMENT

(Date)

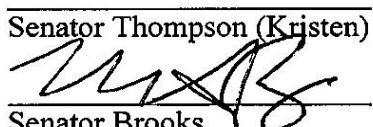
I move to amend Engrossed House Bill No. 2141, by the attached floor substitute (Request #3718) for the title, enacting clause and entire body of the measure.

Submitted by:

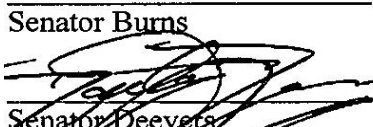

Senator Bergstrom

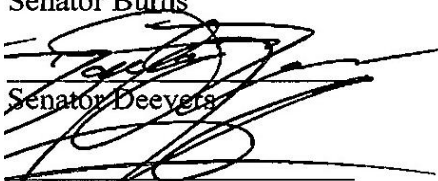
I hereby grant permission for the floor substitute to be adopted.



Senator Coleman, Chair (required)

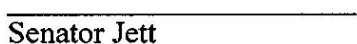

Senator Thompson (Kristen)

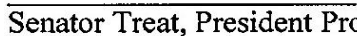

Senator Brooks

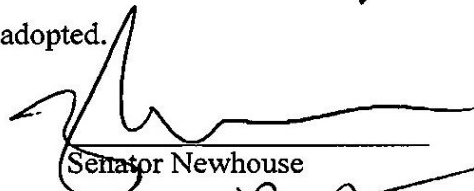

Senator Burns

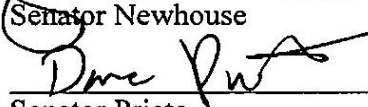

Senator Deever



Senator Haste

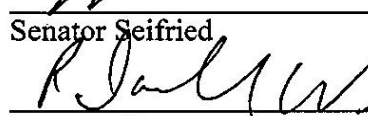

Senator Jett



Senator Treat, President Pro Tempore

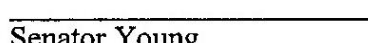

Senator Newhouse



Senator Prieto


Senator Pugh


Senator Seifried


Senator Weaver


Senator Young


Senator McCortney, Majority Floor Leader

Note: Business and Commerce committee majority requires seven (7) members' signatures.


Bergstrom-MR-FA-HB2141

4/4/2024 4:21 PM

(Floor Amendments Only)

Date and Time Filed:

4-8-24

2:42 pm 

☐

Untimely

☐

Amendment Cycle Extended

☐

Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

FLOOR SUBSTITUTE
FOR ENGROSSED

HOUSE BILL NO. 2141

By: McDugle of the House

and

Bergstrom of the Senate

FLOOR SUBSTITUTE

An Act relating to cosmetology and barbering;
amending 59 O.S. 2021, Section 199.1, which relates
to definitions; adding and modifying definitions;
amending 59 O.S. 2021, Section 199.3, which relates
to the powers of the State Board of Cosmetology and
Barbering; removing reference to certain license;
adding license for examination consideration by
Board; preventing rules from modifying training or
testing of specialty licenses not codified in
statute; amending 59 O.S. 2021, Section 199.6, as
amended by Section 1, Chapter 57, O.S.L. 2022 (59
O.S. Supp. 2023, Section 199.6), which relates to
rules; updating references to certain licenses and
certificates; removing requirements for operation of
certain establishments or providing certain services;
adding certain services to the exceptions of this
act; amending 59 O.S. 2021, Section 199.7, which
relates to cosmetology and barbering schools;
modifying hours of instruction after certain date;
adding requirements for certain instructor;
establishing educational and certification
requirements for certain instructor; modifying hours
for certain examination; amending 59 O.S. 2021,
Section 199.8, which relates to apprentices; allowing
for compensation; modifying hours of training;
requiring certain curriculum for apprenticeship
programs from approved organizations; amending 59
O.S. 2021, Section 199.9, which relates to inspection
of facilities; exempting certain licensees from the

1 requirements of inspections under certain conditions;
2 amending 59 O.S. 2021, Section 199.10, which relates
3 to expiration and renewal of license; removing
4 references to certain licenses; amending 59 O.S.
5 2021, Section 199.14, which relates to license fees;
6 updating license fees; increasing license fees;
7 establishing new biennial license fee schedule;
8 amending 59 O.S. 2021, Section 199.18, which relates
9 to services provided in a private residence; updating
10 licenses and certificate holders authorized to
11 provide services; creating the eyelash extension
12 specialist certificate; providing educational
13 requirements; prohibiting the Board from requiring
14 examination to obtain license; allowing for services
15 to be performed in certain establishments; updating
16 statutory language; updating statutory references;
17 making language gender neutral; providing for
18 codification; and providing an effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 59 O.S. 2021, Section 199.1, is
14 amended to read as follows:

15 Section 199.1. As used in the Oklahoma Cosmetology and
16 Barbering Act:

17 1. "Apprentice" means a person who is engaged in learning the
18 practice of cosmetology or barbering in a cosmetology or barbering
19 establishment;

20 2. "Barber" or "barber stylist" means any person who engages in
21 the practice of barbering;

22 3. "Barbering" means ~~any one or any combination of the~~
23 following practices, when done upon the upper part of the human body
24 for cosmetic purposes and when done for payment either directly or

1 indirectly for the general public, ~~constitutes~~ constitute the
2 practice of barbering, to wit: Shaving or trimming the beard or
3 cutting the hair; giving facial or scalp massages or treatment with
4 oils, creams, lotions or other preparations, either by hand or
5 mechanical appliances; singeing, shampooing or applying lighteners
6 or color to the hair or applying hair tonics; applying cosmetic
7 preparations, antiseptics, powders, oils, clays or lotions to scalp,
8 face, neck or upper part of the body; and removing superfluous hair
9 from the face, neck or upper part of the body;

10 4. "Barber establishment" means an establishment or place of
11 business where one or more persons are engaged in the practice of
12 barbering, but shall not include barber schools or colleges;

13 5. "Barber school" or "barber college" means an establishment
14 operated for the purpose of teaching barbering;

15 6. "Blow-dry styling" means the practice of shampooing,
16 conditioning, drying, arranging, curling, straightening, or styling
17 hair using mechanical devices, hairsprays, and topical agents
18 including, but not limited to, balms, oils, and serums. Blow-dry
19 styling shall include the use and styling of hair extensions, hair
20 pieces, and wigs. Blow-dry styling shall not include cutting hair
21 or the application of dyes, bleach, reactive chemicals, keratin
22 treatments, or other preparations for the coloring and altering of
23 hair structure. An individual certified to practice blow-dry
24 styling shall fulfill instruction requirements related to general

1 safety and sanitation for no less than twelve (12) hours, four (4)
2 hours being an instruction in using mechanical devices for drying,
3 curling, straightening, or styling hair, from the State Board of
4 Cosmetology and Barbering before making any such applications. No
5 establishment licensing and inspection requirements pursuant to this
6 act shall be required of an establishment where a person performs
7 blow-dry styling services;

8 7. "Board" means the State Board of Cosmetology and Barbering;

9 ~~7.~~ 8. "Cosmetic studio" means any place or premises where
10 demonstrators give demonstrations, without compensation, for the
11 purpose only of advertising and selling cosmetics. Cosmetic studios
12 providing any place or premises where demonstrators give
13 demonstrations as defined in this paragraph shall not be required to
14 hold a license or certification under the Oklahoma Cosmetology and
15 Barbering Act;

16 ~~8. "Cosmetician" means a person licensed by the Board to~~
17 ~~perform patron services limited to hair arranging and application of~~
18 ~~makeup, including, but not limited to, using hairstyling tools and~~
19 ~~products. Services must be performed in a licensed establishment;~~

20 9. "Cosmetology" means ~~any one or combination of the~~ practices
21 generally and usually performed by and known as the occupation of
22 beauticians, beauty culturists, beauty operators, ~~cosmeticians,~~
23 cosmetologists, or hairdressers or of any other person holding
24 himself or herself out as practicing cosmetology by whatever

1 designation and within the meaning of the Oklahoma Cosmetology and
2 Barbering Act and in or upon whatever place or premises.
3 Cosmetology shall include, but not be limited to, any one or
4 combination of the following practices: bleaching, cleansing,
5 curling, cutting, coloring, dressing, removing, singeing, styling,
6 waving, or similar work upon the hair of any person by any means,
7 whether with hands or mechanical or electrical apparatus or
8 appliances. Nothing in the Oklahoma Cosmetology and Barbering Act
9 shall be construed to prohibit the use of hands or mechanical or
10 electrical apparatus or appliances for the nonpermanent removal of
11 hair from the human body without puncturing of the skin or the use
12 of cosmetic preparations, antiseptics, tonics, lotions, or creams,
13 or massaging, cleansing, stimulating, exercising, beautifying, or
14 similarly working the scalp, face, neck, arms, or the manicuring of
15 the nails of any person, exclusive of such of the foregoing
16 practices as are within the scope of practice of the healing arts as
17 provided by law;

18 10. "Cosmetology establishment" means an establishment or place
19 of business where one or more persons are engaged in the practices
20 of cosmetology but shall not include cosmetology schools or
21 colleges;

22 11. "Cosmetology or barber school/college" means any place or
23 premises where instruction in any or all the practices of
24 cosmetology or barbering is given. Any person, firm, institution or

1 corporation, who holds himself, herself or itself out as a school to
2 teach and train, or any person, firm, institution or corporation who
3 shall teach and train any other person or persons in any of the
4 practices of cosmetology or barbering is hereby declared to be
5 engaged in operating a cosmetology and/or barber school, and shall
6 be subject to the provisions of the Oklahoma Cosmetology and
7 Barbering Act. Licensed cosmetology and/or barber schools may offer
8 education to secondary and postsecondary students in this state;

9 12. "Demonstrator" means a person who is not licensed in this
10 state as an operator or instructor and who demonstrates any cosmetic
11 preparation. ~~The person shall be required to obtain a Demonstrator~~
12 ~~license and pass a state written exam relating to general safety and~~
13 ~~sanitation from the Board before making any such demonstrations~~ An
14 individual solely acting as a demonstrator as defined in this
15 paragraph shall not be required to hold a license or certification
16 under the Oklahoma Cosmetology and Barbering Act;

17 13. "Eyelash extension application" means the application,
18 removal, and trimming of threadlike natural or synthetic fibers to
19 an eyelash. Eyelash extension application shall include the
20 cleaning of lashes. Eyelash extension application shall not include
21 color agents, straightening agents, permanent wave solutions,
22 bleaching agents, or any other service that may be considered under
23 the practice of cosmetology;
24

1 14. "Eyelash extension instructor" means a person certified by
2 the Board or a manufacturer of eyelash extension application
3 products. The person shall pass a state written exam relating to
4 general safety and sanitation from the Board;

5 15. "Eyelash extension specialist" means a person certified by
6 the Board to perform eyelash extension application. The person
7 shall pass a state written exam relating to general safety and
8 sanitation from the Board;

9 ~~13.~~ 16. "Facial/Esthetics instructor" means a person licensed
10 by the Board as a qualified teacher of the art and science of facial
11 and esthetics theory and practice;

12 ~~14.~~ 17. "Facialist/Esthetician" means any person who gives
13 facials for compensation. For a facialist/esthetician fulfilling
14 the requirements of another state, territory, or province and
15 holding a current license as verified by certification, the Board
16 may issue a license pursuant to Section 199.13 of this title;

17 ~~15.~~ 18. "Hairbraiding technician" means a person ~~certified by~~
18 ~~the Board to perform~~ who performs hairbraiding, hairweaving
19 techniques, and hair extensions in a licensed cosmetology
20 establishment. An individual solely acting as a hairbraiding
21 technician as defined in this paragraph shall not be required to
22 hold a license or certification under the Oklahoma Cosmetology and
23 Barbering Act;

1 19. "Hairbraiding" means the service of twisting, wrapping,
2 weaving, extending, locking, or braiding hair by hand or with
3 mechanical devices. Hairbraiding shall include the use of natural
4 or synthetic hair extensions, natural or synthetic hair and fibers,
5 decorative beads or other hair accessories, or twisting, wrapping,
6 weaving, extending, locking, or braiding hair, or the making of wigs
7 from natural hair, natural fibers, synthetic fibers, or hair
8 extensions. Hairbraiding shall include the use of topical agents
9 such as conditioners, gels, moisturizers, oils, pomades, and
10 shampoos. Hairbraiding shall not include the application of dyes,
11 reactive chemicals, or other preparations to alter the color of the
12 hair or to straighten, curl, or alter the structure of the hair or
13 the use of chemical hair jointing agents such as synthetic tape,
14 keratin bonds, or fusion bonds. Hairbraiding shall not be
15 considered the practice of cosmetology. Individuals solely
16 practicing hairbraiding as defined in this paragraph shall not be
17 required to hold a license or certification under the Oklahoma
18 Cosmetology and Barbering Act;

19 ~~16.~~ 20. "Hybrid learning" means courses that combine face-to-
20 face classroom instruction with ~~on-line~~ online, computer-based
21 learning;

22 ~~17.~~ 21. "Makeup application" means the application of a
23 cosmetic to enhance the appearance of the face or skin including,
24 but not limited to, powder, foundation, rouge, eyeshadow, eyeliner,

1 mascara, or lipstick. Makeup application shall include the
2 application of makeup applied using an airbrush. Makeup application
3 shall not include the application of permanent makeup or tattooing;

4 22. "Makeup artist" means a person certified to practice makeup
5 application. No establishment licensing and inspection requirements
6 pursuant to this act shall be required of an establishment where a
7 person performs makeup application services; provided, that an
8 individual certified to practice makeup application fulfills
9 instruction requirements related to general safety and sanitation
10 for no less than eight (8) hours from the Board before making any
11 such applications;

12 23. "Manicurist/Nail technician" means a person who gives
13 manicures, gives pedicures, or applies artificial nails;

14 ~~18.~~ 24. "Manicurist/Nail technician instructor" means a person
15 licensed by the Board as a qualified teacher of the art and science
16 of nail technology theory and practice;

17 25. "Master barber" means any person who has engaged in the
18 practice of barbering for a cumulative period no less than fifteen
19 (15) years. A master barber may provide instruction to no more than
20 two registered apprentices at any one time. At such time as a
21 barber fulfills the requirements of a master barber, he or she may
22 request of the Board for licensure as a master barber;

23 ~~19.~~ 26. "Master barber instructor" means a person who gives
24 instruction in barbering or any practices thereof;

~~20.~~ 27. "Master cosmetologist" means any person who has engaged in the practice of cosmetology for a cumulative period no less than fifteen (15) years. A master cosmetologist may provide instruction to no more than two registered apprentices at any one time. At such time as a cosmetologist fulfills the requirements of a master cosmetologist, he or she may request of the Board for licensure as a master cosmetologist;

~~28.~~ "Master cosmetology instructor" means a person who gives instruction in cosmetology or any practices thereof;

~~21.~~ 29. "Postsecondary institution" means a school licensed to teach students according to prescribed curriculum as in paragraph 1 of subsection G of Section 199.7 of this title and in Board rule 175:10-3-34(a);

~~22.~~ 30. "Public school" means any state-supported institution conducting a cosmetology program;

~~23.~~ 31. "Secondary institution" means a school licensed to teach students eligible for credit of five hundred (500) hours of related subjects as prescribed in paragraph 2 of subsection G of Section 199.7 of this title and in Board rule 175:10-3-34(b); ~~and~~

~~24.~~ 32. "Shampooing" means the practice of washing or cleaning hair by use of shampooing, conditioning, and drying, which may use topical agents including, but not limited to, balms, oils, and serums. Shampooing shall include the washing or cleaning of hair extensions, hair pieces, and wigs. Shampooing shall not include

1 cutting hair or the application of dyes, bleach, reactive chemicals,
2 keratin treatments, or other preparations for the coloring and
3 altering of hair structure. Individuals solely practicing
4 shampooing as defined in this paragraph shall not be required to
5 hold a license or certification under the Oklahoma Cosmetology and
6 Barbering Act; and

7 33. "Student" means a person who is enrolled in and attending a
8 cosmetology or barbering school for the purpose of learning the
9 practice of cosmetology or barbering.

10 SECTION 2. AMENDATORY 59 O.S. 2021, Section 199.3, is
11 amended to read as follows:

12 Section 199.3. A. In order to safeguard and protect the health
13 and general welfare of the people of ~~the State of Oklahoma~~ this
14 state, the State Board of Cosmetology and Barbering is hereby vested
15 with the powers and duties necessary and proper to enable it to
16 fully and effectively carry out the provisions of the Oklahoma
17 Cosmetology and Barbering Act.

18 B. The Board shall have the powers and duties to:

19 1. Promulgate rules pursuant to the Administrative Procedures
20 Act relating to standards of sanitation which must be observed and
21 practiced by all cosmetology and barber establishments, cosmetology
22 or barber schools, master cosmetology instructors, master barber
23 instructors, barbers, apprentices, students, and board licensees.
24 The Board shall furnish copies of the rules to the owner or manager

1 of each cosmetology school, barber school and cosmetology and barber
2 establishment operating in this state. It shall be the duty of each
3 owner or manager to post a copy of the rules in a conspicuous place
4 in each of the establishments or schools;

5 2. Conduct examinations of applicants for certificates of
6 registration as manicurists, cosmetologists, facial operators,
7 ~~hairbraiding technician,~~ manicurist/nail technician instructor,
8 facial/esthetics instructor, master cosmetology instructor,
9 ~~cosmetician,~~ barber, or barber instructor at such times and places
10 determined by the Board. Applications for all examinations shall be
11 made on forms approved by the Board;

12 3. Keep a record of all its proceedings. The Board shall keep
13 a record of all applicants for certificates, licenses and permits,
14 showing the name of the applicant, the name and location of the
15 place of occupation or business, if any, and the residence address
16 of the applicant, and whether the applicant was granted or refused a
17 certificate, license or permit. The records of the Board shall be
18 valid and sufficient evidence of matters contained therein, shall
19 constitute public records. Records shall be open to public
20 inspection at all reasonable times and subject to the Oklahoma Open
21 Records Act. Notwithstanding any other provision of law to the
22 contrary, records and information obtained in connection with an
23 investigation of alleged violations, including complaints, identity
24 of a complainant, investigative reports, and documentation or images

1 generated or received during the course of an investigation, shall
2 be confidential and shall not be subject to disclosure;

3 4. Issue all certificates of registration, licenses, permits,
4 notices and orders;

5 5. Establish limited specialty licenses and certificates for
6 ~~cosmetician~~, facial/esthetics instructor, eyelash extension
7 instructor, manicurist/nail technician instructor, master barber
8 instructor, or master cosmetology instructor within the practice of
9 cosmetology or barbering. The Board shall also promulgate rules for
10 special licenses, including but not limited to reduced curriculum
11 requirements, as the Board may deem appropriate and necessary to
12 further the purposes of the Oklahoma Cosmetology and Barbering Act;
13 provided, that the rules promulgated for specialty licenses shall
14 not require training or testing not required in this act;

15 6. Make regular inspections of all cosmetology and barber
16 schools and cosmetology and barber establishments ~~licensed to~~
17 ~~operate~~ operating in this state, and reports thereof shall be kept
18 and maintained in the office of the Board;

19 7. Make investigations and reports on all violations of the
20 Oklahoma Cosmetology and Barbering Act;

21 8. Take samples of beauty supplies for the purpose of chemical
22 analysis; provided, that if the owner demands payment for the sample
23 taken, payment at the regular retail price shall be made;

1 9. Refuse, revoke, or suspend licenses, certificates of
2 registration or permits after notice and an opportunity for a full
3 hearing, pursuant to Article II of the Administrative Procedures
4 Act, on proof of violation of any of these provisions or the rules
5 established by the Board;

6 10. Enter into any contracts necessary to implement or enforce
7 the provisions of the Oklahoma Cosmetology and Barbering Act or
8 rules promulgated thereto; and

9 11. Apply to a court of competent jurisdiction for an order
10 enjoining an unlicensed person from practicing cosmetology or
11 barbering or holding himself or herself out as a practitioner of
12 cosmetology or barbering. Injunctive relief granted by the court
13 shall be without bond.

14 C. 1. Any person whose license, certificate of registration,
15 or permit has been suspended or revoked may, after the expiration of
16 thirty (30) days, make application to the Board for reinstatement
17 thereof.

18 2. Reinstatement of any such license, certificate of
19 registration, or permit shall rest in the sound discretion of the
20 Board.

21 3. Any action of the Board in refusing, revoking, or suspending
22 a license, certificate of registration, or permit may be appealed to
23 the district court of the county of the appellant's residence
24 pursuant to the Administrative Procedures Act.

1 D. 1. In any case where a licensee becomes a member of the
2 Armed Forces of the United States, such license shall not lapse by
3 reason thereof but shall be considered and held in full force and
4 effect without further payment of license fees during the period of
5 service in the Armed Forces of the United States and for six (6)
6 months after honorable release therefrom. At any time within six
7 (6) months after honorable release from the Armed Forces of the
8 United States the licensee may resume practice pursuant to a license
9 without other or further examination by notifying the Board in
10 writing.

11 2. The period of time in which the licensee shall have been a
12 member of the Armed Forces of the United States shall not be
13 computed in arriving at the amount of fee or fees due or to become
14 due by such licensee.

15 SECTION 3. AMENDATORY 59 O.S. 2021, Section 199.6, as
16 amended by Section 1, Chapter 57, O.S.L. 2022 (59 O.S. Supp. 2023,
17 Section 199.6), is amended to read as follows:

18 Section 199.6. A. The State Board of Cosmetology and Barbering
19 is hereby authorized to promulgate rules for governing the
20 examination and licensure of cosmetologists, master cosmetologists,
21 manicurists, nail technicians, estheticians, ~~cosmeticians~~, hair
22 ~~braiding technicians~~, master cosmetology instructors, manicurist
23 instructors, esthetics instructors, barbers, master barbers, and
24 master barber instructors. The Board is hereby authorized to

1 promulgate rules to govern the sanitary operation of cosmetology and
2 barbering establishments and to administer fines not to exceed Fifty
3 Dollars (\$50.00) for those licensed and not to exceed Five Hundred
4 Dollars (\$500.00) for those not licensed. Each day a violation
5 continues shall be construed as a separate offense.

6 B. The State Board of Cosmetology and Barbering shall have the
7 power and duty to implement rules of the Board, to issue and renew
8 licenses, to inspect cosmetology and barbering establishments and
9 schools, and to inspect the sanitary operating practices of
10 cosmetology and barbering licensees, including sanitary conditions
11 of cosmetology and barbering establishments and schools.

12 C. It shall be unlawful and constitute a misdemeanor,
13 punishable upon conviction by a fine ~~of~~ not less than Fifty Dollars
14 (\$50.00), nor more than One Hundred Fifty Dollars (\$150.00), or by
15 imprisonment in the county jail for not more than thirty (30) days,
16 or both such fine and imprisonment, for any person, firm, or
17 corporation in this state to:

18 1. Operate or attempt to operate a cosmetology school/college,
19 cosmetology or barber establishment, cosmetology or barber school or
20 college that offers cosmetology, barbering or both without having
21 obtained a license therefor from the State Board of Cosmetology and
22 Barbering;

23

24

1 2. Give or attempt to give instruction in cosmetology or
2 barbering, without having obtained an instructor's license from the
3 Board;

4 3. Practice or offer to practice barbering, cosmetology ~~or,~~
5 manicuring, or eyelash extension application without having obtained
6 a license or certification therefor from the Board;

7 4. ~~Operate a cosmetic studio without having obtained a license~~
8 ~~therefor from the Board;~~

9 5. ~~Demonstrate a cosmetic preparation without having obtained a~~
10 ~~demonstrator's license from the Board~~ Demonstrate as an eyelash
11 extension instructor or operate as an eyelash extension specialist
12 without having obtained a certificate from the Board;

13 ~~6.~~ 5. Permit any person in one's employ, supervision, or
14 control to practice cosmetology or barbering unless that person has
15 obtained an appropriate license from the Board;

16 ~~7.~~ 6. Willfully violate any rule promulgated by the Board for
17 the sanitary management and operation of a cosmetology or barber
18 establishment, cosmetology school or barber college; or

19 ~~8.~~ 7. Violate any of the provisions of the Oklahoma Cosmetology
20 and Barbering Act.

21 D. The State Board of Cosmetology and Barbering shall have the
22 authority to levy administrative fines not to exceed Five Hundred
23 Dollars (\$500.00) for persons practicing cosmetology or barbering
24 without a license, and for owners of ~~licensed~~ establishments who

1 allow unlicensed individuals to practice cosmetology or barbering
2 without a license in their establishment. Each day a violation
3 continues shall be a separate offense. The administrative fine
4 shall not exceed a total of Five Hundred Dollars (\$500.00).

5 E. The provisions of the Oklahoma Cosmetology and Barbering Act
6 shall not apply to the following persons while such persons are
7 engaged in the proper discharge of their professional duties:

8 1. Funeral directors;

9 2. Persons in the Armed Services;

10 3. Persons authorized to practice the healing arts or nursing;

11 4. Regularly employed sales people working in retail
12 establishments engaged in the business of selling cosmetics in
13 sealed packages; ~~or~~

14 5. Persons employed to render cosmetology or hairstyling
15 services in the course of and incidental to the business or
16 employers engaged in the theatrical, radio, television, or motion
17 picture production industries, modeling, or photography;

18 6. Persons performing shampooing services and no other services
19 requiring a license under this act; or

20 7. Persons performing hairbraiding services.

21 SECTION 4. AMENDATORY 59 O.S. 2021, Section 199.7, is
22 amended to read as follows:

23 Section 199.7. A. Each cosmetology and barber school shall be
24 licensed annually by the State Board of Cosmetology and Barbering.

1 Application for the first year's license for a cosmetology and
2 barber school shall be accompanied by a fee of Four Hundred Dollars
3 (\$400.00), which shall be retained by the Board if the application
4 is approved and a license is issued. The annual renewal license fee
5 for cosmetology or barber schools shall be One Hundred Twenty-five
6 Dollars (\$125.00).

7 B. 1. No license or renewal thereof for a cosmetology or
8 barber school shall be issued unless the owner thereof furnishes to
9 the Board a good and sufficient surety bond in the principal sum of
10 Two Thousand Dollars (\$2,000.00) for the first instructor and an
11 additional One Thousand Dollars (\$1,000.00) for each additional
12 instructor, executed by a surety company authorized to do business
13 in this state, and conditioned on the faithful performance of the
14 terms and conditions of all contracts entered into between the owner
15 of the cosmetology or barber school and all persons enrolling
16 therein.

17 2. The surety bond shall be in a form approved by the Attorney
18 General and filed in the Office of the Secretary of State. Suit may
19 be brought on the bond by any person injured by reason of the breach
20 of the conditions thereof.

21 C. It shall be the duty of the owner or manager of a
22 cosmetology or barber school to enter into a written contract with
23 all students before permitting students to attend any classes.
24 Contracts shall be made out in triplicate, the original copy to be

1 retained by the school, the duplicate to be given to the student,
2 and the triplicate to be filed with the ~~executive director~~ Executive
3 Director of the Board.

4 D. A school licensed or applying for licensure shall maintain
5 recognition as an institution of postsecondary study by meeting the
6 following conditions:

7 1. The school shall admit as a regular student only an
8 individual who has earned a recognized high school diploma, or who
9 is beyond the age of compulsory high school attendance; and

10 2. The school shall be licensed by name, or in the case of an
11 applicant, shall apply for licensure by name, to offer one or more
12 training programs beyond the secondary level.

13 E. No license for a cosmetology or barber school shall be
14 issued unless the owner thereof presents evidence satisfactory to
15 the Board that the school has satisfactory facilities and equipment
16 and has instructors qualified to give a course of study as provided
17 in the Oklahoma Cosmetology and Barbering Act.

18 F. There shall be included in the curriculum for cosmetology
19 and barber schools, courses of study in the theory of cosmetology
20 and barbering related theory, studies in manipulative practices,
21 sterilization and sanitation, shop management, and such other
22 related subjects as may be approved by the Board.

23 G. 1. ~~The~~ On or before July 1, 2025, the Board shall adopt a
24 curriculum of required courses of instruction in theory and training

1 of either ~~one thousand five hundred (1,500)~~ one thousand (1,000)
2 clock hours for nonchemical-use licensure or one thousand two
3 hundred fifty (1,250) hours of chemical-use licensure or an
4 equivalent number of credit hours as recognized by the United States
5 Department of Education or a regional or national accreditation
6 entity recognized by the United States Department of Education in a
7 basic course to be taught in all cosmetology or barbering schools in
8 the state. The basic cosmetology or barbering course shall be
9 designed to qualify students completing the course to take the
10 examination for a license.

11 2. ~~Cosmetology~~ On or before July 1, 2025, cosmetology and
12 barber students in vocational, trade, and industrial cosmetology and
13 barbering classes in public schools, parochial schools, private
14 schools or home schools shall qualify by completing one thousand
15 (1,000) hours in a basic course of cosmetology or barbering and ~~five~~
16 ~~hundred (500)~~ two hundred fifty (250) hours of approved related
17 subjects to be selected from, but not limited to, the following high
18 school courses in a public school, parochial, private or home
19 school: psychology, biology, general science, American history,
20 art, typing I, typing II, business arithmetic, salesmanship,
21 bookkeeping I, bookkeeping II, related mathematics, English II,
22 English III and English IV.

23 H. 1. No person shall be eligible to give instruction in
24 cosmetology or barbering unless the person is the holder of a

1 current unrevoked ~~instructor's~~ instructor license issued by the
2 Board. No person shall be eligible to give instruction in eyelash
3 extension application unless the person is the holder of a current
4 unrevoked eyelash extension instructor certificate issued by the
5 Board. A manufacturer of eyelash extension application products
6 shall not be required to obtain an instructor certificate but shall
7 only instruct on eyelash extension products and not the application
8 of eyelash extensions.

9 2. Each cosmetology or barber school shall employ at least one
10 instructor for the first fifteen students registered therein, and at
11 least one additional instructor shall be employed for each
12 additional group of fifteen students, or major fraction thereof.

13 3. Students utilizing hybrid learning programs are included in
14 the total student number as referenced in the ratio in paragraph 2
15 ~~of subsection G of this section~~ subsection.

16 I. A cosmetology or barbering school may be operated in and as
17 part of an accredited high school.

18 J. No cosmetology or barber school owner or an establishment
19 owner shall charge students or apprentices for cosmetic materials,
20 supplies, apparatus, or machines used by them in practice work. A
21 reasonable charge may be made by a cosmetology or barber school for
22 clinical work performed by students upon persons who are not
23 students therein. No instructor shall be permitted to do
24

1 professional or clinical work in a cosmetology or barber school at
2 any time.

3 K. No cosmetology or barber establishment shall ever be
4 operated in or as a part of a cosmetology school.

5 L. 1. Students shall:

6 a. have an eighth-grade education or the equivalent
7 thereof, and

8 b. be at least sixteen (16) years of age unless they are
9 public or private school students who will be sixteen
10 (16) years of age by November 1 of the year in which
11 cosmetology or barbering instruction begins.

12 2. Credit shall not be given to any person by the Board or by a
13 cosmetology or barber school for hours spent in attending a
14 cosmetology or barber school unless the person has registered with
15 the Board as a student prior to the attendance, except that a
16 student who has attended a cosmetology or barber school out of state
17 may receive credit for such attendance for transfer upon proper
18 certification as provided by rule of the Board.

19 3. No student shall be credited with more than eight (8) hours'
20 attendance in a cosmetology or barber school in any one (1) day.

21 4. No person shall be eligible to take the Board-issued
22 examination for a license unless such person is at least seventeen
23 (17) years of age or a high school graduate.
24

1 M. 1. No student shall be eligible to take the examination for
2 a Board-issued license without furnishing to the Board the affidavit
3 of the owner of the cosmetology or barber school that the student
4 has satisfactorily completed the requirements specified in paragraph
5 1 of subsection ~~F~~ G of this section, except public and private
6 school students who will complete the requirements specified in
7 paragraph 2 of subsection ~~F~~ G of this section by the close of the
8 current school year may take the examination next preceding the end
9 of the school year.

10 2. Students who are eligible to take the examination shall be
11 given an oral examination if requested by their instructor and proof
12 of qualifying disability is proven.

13 N. ~~No~~ After July 1, 2025, no person shall be eligible to
14 register for the examination for an instructor's license unless such
15 person is a high school graduate, or has obtained a General
16 Equivalency Diploma (GED) as to which the applicant shall qualify by
17 tests to be prescribed by the Board and conducted by qualified
18 examiners selected by the Board, and has~~+~~

19 ~~1. Satisfactorily~~ satisfactorily completed all hours required
20 for the appropriate specialty course and an additional ~~one thousand~~
21 ~~(1,000)~~ six hundred (600) instructor training hours or equivalent
22 number of credit hours as recognized by the United States Department
23 of Education or as recognized by a national accreditation entity
24

1 prescribed by the Board in a cosmetology or barber school in this
2 state; ~~or~~

3 ~~2. Completed all hours required for the appropriate specialty~~
4 ~~course, three hundred (300) instructor training hours, prescribed by~~
5 ~~the Board in a cosmetology school in this state and has been engaged~~
6 ~~in the practice of cosmetology for at least the preceding two (2)~~
7 ~~years.~~

8 O. The Board shall have the power to conduct examinations
9 around the state at public locations including, but not limited to,
10 technology center schools.

11 P. Each cosmetology or barber school shall prominently display
12 in a conspicuous place above or to the side of the entrance thereto
13 a sign identifying it as an institute of learning. ~~Wording~~ The
14 wording on such sign shall be in plain letters at least three (3)
15 inches high and at least one (1) inch wide.

16 SECTION 5. AMENDATORY 59 O.S. 2021, Section 199.8, is
17 amended to read as follows:

18 Section 199.8. A. Each person training as an apprentice shall
19 be required to have the same qualifications as a student for
20 admission into a cosmetology or barber school, and shall be
21 registered with the State Board of Cosmetology and Barbering before
22 commencing the training.

23 B. No apprentice shall engage in any of the practices of
24 cosmetology or barbering except under the immediate supervision of a

1 licensed instructor in a cosmetology or barber establishment
2 approved by the Board for apprentice training.

3 C. All apprentices ~~must~~ shall wear a badge which designates
4 them as an apprentice and is furnished by the Board with the
5 apprentice registration receipt.

6 D. Only ~~one apprentice~~ two apprentices may be registered to
7 receive training in any cosmetology or barber establishment at any
8 one time. An apprentice registered to receive training in any
9 cosmetology or barber establishment may receive compensation during
10 his or her training.

11 E. Completion of ~~three thousand (3,000)~~ two thousand two
12 hundred fifty (2,250) hours of apprentice training in a cosmetology
13 or barber establishment is the equivalent of ~~one thousand five~~
14 ~~hundred (1,500)~~ one thousand two hundred fifty (1,250) hours'
15 training in a cosmetology or barber school and shall entitle the
16 apprentice to take the examination.

17 F. The required curriculum for apprenticeships shall be created
18 by an organization approved by the Board for each discipline.
19 Practical and theory-related benchmarks shall be administered by
20 either a master barber or master cosmetologist at the end of each
21 chapter/unit of the curriculum. Benchmarks shall be established
22 within the course outline and curriculum shall be provided to the
23 Board upon request during the apprenticeship application process.
24

SECTION 6. AMENDATORY 59 O.S. 2021, Section 199.9, is amended to read as follows:

Section 199.9. A. The State Board of Cosmetology and Barbering shall not issue a license for a cosmetology or barber establishment until an inspection has been made of the salon and equipment, including the sanitary facilities thereof. Temporary approval pending inspection may be made upon sworn affidavit by the license applicant that all requirements have been met. No license shall be issued for a cosmetology or barber establishment to be operated in a private home or residence unless the salon is located in a room or rooms not used or occupied for residential purposes.

B. 1. Except as otherwise provided in the Oklahoma Cosmetology and Barbering Act, it shall be unlawful for any person to practice cosmetology or barbering in any place other than a licensed establishment or school licensed by the Board. A person may provide services outside of a licensed establishment if his or her services do not require licensing under this act and shall not be required to receive an establishment license for the facility where his or her services are being provided and may work in a licensed establishment.

2. In an emergency such as illness, invalidism, or death, a licensed operator may perform cosmetology or barbering services for a person by appointment in a place other than a licensed cosmetology or barber establishment or cosmetology or barber school.

1 C. A person licensed as a cosmetologist may perform cosmetology
2 services in a barber establishment. A person licensed as a barber
3 may perform barbering services in a cosmetology establishment. Any
4 salon which provides both cosmetology and barbering services must
5 obtain a license from the Board.

6 SECTION 7. AMENDATORY 59 O.S. 2021, Section 199.10, is
7 amended to read as follows:

8 Section 199.10. A. All licenses issued under the provisions of
9 the Oklahoma Cosmetology and Barbering Act shall be issued for a
10 period of one (1) year. The expiration date of the license shall be
11 the last day of the month in which the applicant's birthday falls.
12 The public display of a licensee's personal residential address on
13 the face of any license issued pursuant to the provisions of the
14 Oklahoma Cosmetology and Barbering Act shall be prohibited on and
15 after July 1, 2016, and such personal address information, if
16 ~~publically~~ publicly displayed on a valid license, may be redacted by
17 the licensee until the license is renewed and no longer bears his or
18 her personal residential address.

19 B. Applications for renewal must be made on or before the last
20 day of the month in which the applicant's birthday falls, and shall
21 be accompanied by the appropriate fees.

22 C. Any person who fails to renew the license within the
23 required time may make application for renewal at any time within
24 five (5) years from the expiration date of the license by paying the

1 regular renewal license fee and a late fee of Ten Dollars (\$10.00),
2 which becomes due two (2) months after the expiration date.

3 D. Any person who fails to renew within the required time may
4 make application with subsequent renewal and penalty fees.

5 E. Before a person may take an examination to renew an expired
6 license after a period of five (5) years, such person shall register
7 in a cosmetology or barber school for the given number of review
8 hours in accordance with the following timetable and schedule based
9 upon the type of license held.

10	Expired Five	Review
11	License Type	Years or More
12	Basic Cosmetologist	Hours Required
13	Barber	250 hours
14	Master Cosmetology	250 hours
15	Instructor	100 hours
16	Master Barber	
17	Instructor	100 hours
18	Facial/Esthetics	
19	Instructor	100 hours
20	Manicurist/Nail	
21	Technician	
22	Instructor	100 hours
23	Manicurist	100 hours
24	Facial Operator	100 hours

1 ~~Cosmetician~~ ~~100 hours~~

2 ~~Hairbraiding~~

3 ~~Technician~~ ~~100 hours~~

4 F. Each person holding a license shall notify the Board of any
5 change in the mailing address of such person within thirty (30) days
6 after any change.

7 SECTION 8. AMENDATORY 59 O.S. 2021, Section 199.14, is
8 amended to read as follows:

9 Section 199.14. A. ~~The~~ After the effective date of this act,
10 the following fees shall be charged by the State Board of
11 Cosmetology and Barbering:

12	Registration as a student.....	\$	5.00	<u>10.00</u>
13	Examination for license		35.00	<u>50.00</u>
14	Cosmetology and Barber school license (initial).....			400.00
15	Cosmetology and Barber school license (renewal).....			125.00
16	Apprentice Registration.....			10.00
17	Renewal Advanced Operator license (annual)		25.00	<u>40.00</u>
18	Facial Operator license (annual)		25.00	<u>40.00</u>
19	Cosmetology license (annual) <u>(chemical/nonchemical)</u> ...		25.00	<u>40.00</u>
20	Barber license (annual) <u>(chemical/nonchemical)</u>		25.00	<u>40.00</u>
21	Manicurist license (annual)		25.00	<u>40.00</u>
22	<u>Eyelash Extension Specialist certificate</u>			40.00
23	<u>Eyelash Extension Instructor certificate</u>			40.00
24	<u>Blow-Dry Styling certificate</u>			40.00

1	<u>Makeup Artist certificate.....</u>	<u>40.00</u>
2	Facial/Esthetics Instructor license (annual).....	30.00 <u>45.00</u>
3	Cosmetician license (annual).....	25.00
4	Manicurist/Nail Technician Instructor license (annual)	30.00
5		<u>45.00</u>
6	Demonstrator license (annual).....	20.00
7	<u>Master Barber.....</u>	<u>40.00</u>
8	<u>Master Cosmetologist.....</u>	<u>40.00</u>
9	Master Cosmetology Instructor license (annual).....	50.00 <u>65.00</u>
10	Master Barber Instructor license (annual).....	50.00 <u>65.00</u>
11	Cosmetology establishment license (initial).....	45.00 <u>60.00</u>
12	Cosmetology establishment license (renewal).....	30.00 <u>45.00</u>
13	Barber establishment license (initial).....	45.00 <u>60.00</u>
14	Barber establishment license (renewal).....	30.00 <u>45.00</u>
15	Cosmetic Studio license (initial).....	50.00
16	Cosmetic Studio license (renewal)	30.00
17	Nail Salon (initial)	45.00 <u>60.00</u>
18	Nail Salon (renewal)	30.00 <u>45.00</u>
19	Reciprocity license (initial).....	30.00 <u>45.00</u>
20	Reciprocity processing fee.....	30.00 <u>45.00</u>
21	Duplicate license (in case of loss or	
22	destruction of original).....	5.00 <u>10.00</u>
23	Notary fee.....	1.00
24	Certification of Records.....	10.00

B. In addition to the fees specified in subsection A of this section, the Board shall charge a total penalty of Ten Dollars (\$10.00), as provided for in Section 199.10 of this title.

C. Any person licensed as an advanced operator prior to July 1, 1985, may renew the advanced cosmetologist license annually by payment of the fee required by this section and by being in compliance with the rules promulgated by the State Board of Cosmetology and Barbering.

D. Beginning on November 1, 2025, all licenses renewed annually in this section shall be renewed every two (2) years. The following fees shall be charged:

<u>Registration as a student.....</u>	<u>\$10.00</u>
<u>Examination for license.....</u>	<u>50.00</u>
<u>Cosmetology and Barber school license (initial).....</u>	<u>400.00</u>
<u>Cosmetology and Barber school license (renewal).....</u>	<u>250.00</u>
<u>Apprentice Registration.....</u>	<u>10.00</u>
<u>Renewal Advanced Operator license.....</u>	<u>80.00</u>
<u>Facial Operator license.....</u>	<u>80.00</u>
<u>Cosmetology license (chemical/nonchemical).....</u>	<u>80.00</u>
<u>Barber license (chemical/nonchemical).....</u>	<u>80.00</u>
<u>Manicurist license.....</u>	<u>80.00</u>
<u>Eyelash Extension Specialist certificate.....</u>	<u>80.00</u>
<u>Eyelash Extension Instructor certificate.....</u>	<u>80.00</u>
<u>Blow-Dry Styling certificate.....</u>	<u>80.00</u>

1	<u>Makeup Artist certificate.....</u>	80.00
2	<u>Facial/Esthetics Instructor license.....</u>	90.00
3	<u>Manicurist/Nail Technician Instructor license.....</u>	45.00
4	<u>Master Barber.....</u>	80.00
5	<u>Master Cosmetologist.....</u>	80.00
6	<u>Master Cosmetology Instructor license.....</u>	130.00
7	<u>Master Barber Instructor license.....</u>	130.00
8	<u>Cosmetology establishment license (initial).....</u>	120.00
9	<u>Cosmetology establishment license (renewal).....</u>	90.00
10	<u>Barber establishment license (initial).....</u>	120.00
11	<u>Barber establishment license (renewal).....</u>	90.00
12	<u>Nail Salon (initial).....</u>	120.00
13	<u>Nail Salon (renewal).....</u>	90.00
14	<u>Reciprocity license (initial).....</u>	90.00
15	<u>Reciprocity processing fee.....</u>	90.00
16	<u>Duplicate license (in case of loss or</u>	
17	<u>destruction of original).....</u>	10.00
18	<u>Notary fee.....</u>	1.00
19	<u>Certification of Records.....</u>	10.00

20 SECTION 9. AMENDATORY 59 O.S. 2021, Section 199.18, is
21 amended to read as follows:

22 Section 199.18. A licensed barber, cosmetologist, hairdresser,
23 manicurist, or ~~certificate holder for hairbraiding~~ certified eyelash
24 extension specialist may provide, upon request of a patron or

1 customer, barbering, cosmetology, hairdresser, manicurist, or
2 ~~hairbraiding~~ eyelash extension application services to the patron or
3 customer, according to such license or certificate authority, in the
4 patron's or customer's private residence. The services authorized
5 by this section shall be provided privately and shall not be subject
6 to inspection, rules or regulations by the State Board of
7 Cosmetology and Barbering; however, the licensee or certificate
8 holder is required to provide such services competently and
9 according to professional standards and in a manner deemed safe and
10 sanitary for the patron or customer. The patron or customer, by
11 requesting such service to be delivered privately in ~~their~~ his or
12 her residence, assumes the liability for the services and any home
13 equipment utilized by the licensee or certificate holder. The
14 patron or customer shall have the right to review the person's
15 license or certificate for validity and authority to perform the
16 services requested. The licensee or certificate holder shall have
17 in ~~their~~ his or her possession a copy of ~~their~~ his or her license or
18 certificate when providing services upon request in a private
19 residence.

20 SECTION 10. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 199.19 of Title 59, unless there
22 is created a duplication in numbering, reads as follows:
23
24

1 A. A person shall obtain an eyelash extension specialist
2 certificate from the State Board of Cosmetology and Barbering to
3 perform eyelash extension application services.

4 B. A person may obtain an eyelash extension specialist
5 certificate upon demonstrating completion of a minimum of one
6 hundred twenty (120) hours of training with a certified eyelash
7 extension instructor.

8 C. A person may obtain an eyelash extension instructor
9 certificate upon demonstrating completion of requirements of
10 subsection B of this section and has demonstrated no less than sixty
11 (60) hours of eyelash extension application services.

12 D. The Board shall not require a person to pass an examination
13 to obtain an eyelash extension specialist certificate or an eyelash
14 extension instructor certificate.

15 E. An eyelash extension specialist certificate shall be renewed
16 annually with the Board as set forth in this act.

17 F. All establishment licensing and inspection requirements
18 pursuant to this act shall be required of an establishment where a
19 person performs eyelash extension application services.

20 SECTION 11. This act shall become effective November 1, 2024.

21
22 59-2-3718 MR 4/8/2024 3:19:09 PM
23
24